

**CITY GOVERNMENT
OFFICIAL PROCEEDINGS OF CITY COUNCIL
SAVANNAH, GEORGIA
June 30, 2011**

The regular meeting of Council was held this date at 2:00 P.M. in the Council Chambers of City Hall. The Invocation was given by Mayor Johnson, followed by the Pledge of Allegiance to the Flag. The Minutes of the meeting of June 2, 2011 City Council Meeting and the June 2, 2011 Summary/Final Minutes of the City Council Workshop and City Manager's Briefing were approved upon motion of Alderman Osborne, seconded by Alderman Jones and carried.

PRESENT: Mayor Otis S. Johnson, Presiding
Mayor Pro-Tem Edna B. Jackson
Alderman Tony Thomas, Chairman of Council
Aldermen Larry Stuber, Clifton Jones, Jeff Felser,
Mary Osborne and Mary Ellen Sprague

City Manager Rochelle D. Small-Toney
City Attorney James B. Blackburn
Asst. City Attorneys William W. Shearouse and Lester B. Johnson, III

ABSENT: Alderman Van Johnson II, Vice-Chairman of Council,
(Out of town)

PRESENTATIONS

Recognition of Bernard Moultrie, Henry Murphy, Kaamilya Hollis, and Herbert Swain (not present), for saving the life of a seven-year-old boy who was attacked by a dog. A Certificate of Appreciation was presented by Alderman Stuber. Mayor Johnson stated the owners of all pit bulldogs needed to make sure they control their dogs and be responsible. The child's mother was present and thanked the men and Ms. Hollis for saving her son. Wells Fargo has set up a fund for the child – Friends of Javon Robinson, to assist with the medical bills. Also, Lu Lu's Chocolate on MLK is giving a fund raiser, sponsored by 100 Black Men. Alderman Felser stated he hoped the community would respond to the rescuers as well as the family; he gave 3 gift certificates to the rescuers.

LEGISLATIVE REPORTS

As advertised, the following alcoholic license petitions were heard. No one appeared in objection to the issuance of the licenses and upon motion of Alderman Jones, seconded by Alderman Felser, and carried, they were approved:

ALCOHOL BEVERAGES LICENSE HEARING

Daniel Thomas Keefer t/a Publix Supermarkets, Inc., requested a beer and wine (package) license at 11701 Abercorn Street, which has a 2011 beer and wine (package) license and is located between Largo Drive and Mercy Boulevard in District 6. (New manager/applicant.)

Sanjay R. Patel t/a Suhani and Devam LLC, requested to transfer a liquor, beer and wine (package) license from Mark E. Helmly t/a Skidaway Liquor Center at 3211 Skidaway Road, which is located between 50th and 51st Streets in District 3. (New ownership.)

Edward W. Purvis Jr. t/a Peg Leg Petes, requested to transfer a liquor, beer and wine (drink) license from Myrtice J. Morrison at 303 W. River Street, which is located between the Barnard Ramp and Martin Luther King, Jr. Boulevard in District 1. (New ownership.)

PETITIONS

Alethia Canady of Coastal Canvas Co. for Consuelo Lawson, Owner of Ye old Herb Shoppe and Property Owners Tony and Carol Chen – Petition 13241, requesting to encroach onto City right-of-way at 346 Martin Luther King, Jr. (MLK) Boulevard (PIN 2-0031-25-006) for installation of an awning. The property, legally described as the southern part lot 26, northern part lot 29, & small strip of SW part lot 28, Currietown Ward, is located on the east side of MLK Boulevard between Charlton and Jones Streets. The awning design for Ye Old Herb Shoppe has been approved by the Historic Review Board, and is planned to provide clearance eight feet (8') above the sidewalk, run the length of the 22'-9" storefront, and project 2'-6" from the façade. The petition has been reviewed by Water Resources and Public Works, Sanitation, Streets, and Development Services. Water Resources reports the presence of a water main within the MLK Boulevard right-of-way, and requires that prior to installation of the awning, the location of the water main be field verified to ensure no part of the awning be constructed within seven and a half feet (7.5') from the water main line. Development Services recommends approval of the petition subject to the property owner assuming responsibility for maintenance of the awning and all liability associated therewith. All City permitting and construction guidelines must be followed, and the awning installation must meet all federal, state and local codes. This petition was deferred from June 16, 2011 for staff to obtain authorization from the property owner agreeing to accept responsibility and liability for the encroachment. Staff has received signed authorization from the property owner agreeing to accept responsibility and liability for the encroachment. Recommend advising the petitioner of the above conditions. Recommend also advising the petitioner that the encroachment grants no ownership rights to the property and that, if ever required, the structure(s) must be removed at the petitioner's expense.

Alethia Canady of Coastal Canvas Co. for Carol and David Sellers, Owners of Salt Table LLC and 226 West Broughton LLC Property Owner – Petition 13308, requesting to encroach onto the Barnard Street right-of-way for the installation of awnings. The property is located at 59 Barnard Street, PIN 2- 0016-14-100, at the corner of Broughton and Barnard. An existing awning on the building will be re-covered and a new awning erected on either side, for a total of three (3) awnings along the Barnard Street elevation. Each awning is 150" (12'6") in width and will encroach 50" (4'2") into the right-of- way. The bottom of the awning will be 102" (8'6") above the sidewalk. The Historic Board of Review has approved the design and location of the awnings. Water Resources and Public Works, Sanitation, and Development Services reviewed the petition and do not object to the request; it is consistent with other encroachments in the Historic District. Development Services stipulates that the City should not be responsible for maintenance of the awning or liability for the encroachment. Staff has received signed authorization from the property owner agreeing to accept responsibility and liability for the encroachment. Recommend advising the petitioner that the encroachment grants no ownership rights to the property and that, if ever required, the structure(s) must be removed at petitioner's expense.

Upon motion by Alderman Thomas, seconded by Alderman Jackson and carried the petitions were approved.

RESOLUTIONS

Quit Claim Deed – Board of Public Education. A resolution to authorize the City Manager to execute a Quit Claim Deed to convey unopened right-of-way to portions of West Boundary Street and Old Sycamore Street, as shown on a current survey, now used as a part of the Gadsden Elementary School facilities to the Board of Public Education for the City of Savannah and County of Chatham. It appears from the survey that an abandoned street right-of-way inside the campus of Gadsden Elementary School and used in the construction of the school was never conveyed to the Board of Education. Current work at the site requires title to be in the Board.

Upon motion my Alderman Jackson, seconded by Alderman Jones and carried the resolution was approved.

TRAFFIC ENGINEERING REPORTS

No Parking – Graham Street. Residents of the Hudson Hill neighborhood have expressed concerns about on-street parking on the west side of Graham Street by Hudson Park. The Savannah-Chatham Metropolitan Police Department has requested a parking prohibition on this side of the street. There are no residences fronting on Graham Street. During late afternoon hours visitors to the park typically park vehicles on both sides of Graham Street between Bay and Hudson Streets. Children going to and from the park cross the street between parked vehicles. This situation creates a safety hazard as motorists do not have good visibility of children crossing the street. The requested no parking zone would complement an existing no parking zone along the south side of Hudson Street next to the park. In an effort to provide safe pedestrian and vehicular traffic conditions on Graham Street it is recommended that on-street parking be prohibited on the west side of the street next to the park from Bay Street to Hudson Street.

Upon motion by Alderman Felser, seconded by Alderman Jones and carried the no-parking request was approved.

MISCELLANEOUS ITEMS

Acknowledge Receipt of Annexation Petition. The City received an annexation petition for a parcel with 4.76 acres located on Bradley Boulevard near the Bradley South development from its owners, Robert W. Lee and L. Richard Lee. The parcel is under contract for purchase by the City as a future fire station site. The land under petition is contiguous to existing City territory, and therefore can be annexed by ordinance adopted by City Council. As required by state law the County has been informed of receipt of this petition. No action is required at this time other than acknowledgment of petition receipt. Consideration of ordinances to annex the territory and to designate City zoning for it will be placed on a future agenda.

Alderman Thomas acknowledged the receipt of the petition. He also stated this parcel is under contract with the City as a future fire department location.

Consideration of a funding request for the Horizons Summer Enrichment Program. Chairman of the Board of horizons Thomas Oxnard spoke of his works with a group of private citizens to allow the children this summer program. This is a 6-weeks program for low income and at-risk kids; grades K-8. It started in 2003 by Dr. Paul Pressley. In addition to education there are cultural opportunities. There are 160 kids this year; there are 350 kids on the waiting list. Alderman Felser stated the more they could do for the youth of the city during the summer down-time is helpful and he commended Mr. Oxnard. Alderman Sprague asked if the program had been tracked and were they successful. Mr. Oxnard stated the first graduating class is expected soon. Alderman Jones stated he thought it prudent that the public know when Council approves these types of donations. Mr. Oxnard stated up to this point all donations have been foundations, corporations, or individuals; no public funds. Alderman Osborne said she wished someone in the community would assist with 350 kids on the waiting list. Mr. Oxnard suggested the community go to their webpage to learn more.

Upon motion by Alderman Felser, seconded by Alderman Stuber and carried the funds were granted.

Upon motion of Alderman Thomas, seconded by Alderman Stuber and carried, the following **bids, contracts and agreements** were approved:

BIDS, CONTRACTS AND AGREEMENTS

Passenger Tires – Annual Contract – Bid No. 11.108. Awarded an annual contract to procure passenger car tires from SOS Radial Tire Service, Inc. in the amount of \$137,151.99. The tires will be used by Vehicle Maintenance to replace worn or damaged tires on the City's vehicle fleet. Delivery: As Required. Terms: Net-30 Days. Funds are available in the 2011 Budget, Internal Service Fund/Inventory vehicle parts (Account No. 611-0000-11325).

Repair Parts for Utility Line Television Equipment – Annual Contract Renewal – Bid No. 11.136. Renewed an annual contract to procure repair parts for utility line television equipment from Aries Industries in the amount of \$30,000.00. The repair parts are needed to maintain televising equipment which is used to inspect sewer and storm water lines. The reason why a sole source vendor is required is that the repair parts are available only from the original equipment supplier. The vendor offers a 5% discount from the piece list. Terms were negotiated. Delivery: As Needed. Terms: Net- 30 Days. Funds are available in the 2011 Budget, Water & Sewer Operating Fund/President Street Plant/Equipment Maintenance (Account No. 521-2553- 51250).

Security Services for I & D Water Supply – Annual Contract Renewal – Bid No. 11.136. Renewed an annual contract to procure security services from Saber Security and Investigation, LLC in the amount of \$39,000.00. The security services will be used to provide security at the Industrial and Domestic Water Supply entrance on Highway 21. This is the third and final renewal option for this contract. Delivery: As Needed. Terms: Net-30 Days. Funds are available in the 2011 Budget, I & D Water Fund/Operating and Maintenance/Security Guard Services (Account No. 531-2581-51241).

Storm Debris Removal Services – Annual Contract Renewal – Bid No. 11.137. Renewed an annual contingency contract for storm debris removal services to Phillips & Jordan, Inc. as primary in the estimated amount of \$24,227,810.00, DRC Emergency Services as secondary and Ashbritt, Inc. as tertiary. This contract would be used if a major hurricane or other disaster results in more debris than can be managed by City staff. Fees are based on unit prices for hauling/removal of debris, debris reduction, animal carcass removal, stump removal and other related services. This is the second and final renewal option available for this contract. Proposals were evaluated on the basis of experience and qualifications, debris management services, fees and responsiveness. Delivery: As Needed. Terms: Net-30 Days. The proposers were: B.P.(D) Phillips and Jordan, Inc. (Primary) \$ 24,227,810.00 (D) DRC Emergency Services (Secondary) \$ 19,079,177.00 (C) Ashbritt, Inc. (Tertiary) \$ 27,799,240.00. In the event of a major disaster such as a hurricane strike, we will be looking to the federal and state governments to help fund these extraordinary costs. A Pre-Proposal Conference was not conducted as this is an annual contract renewal. Alderman Sprague questioned the amount that was needed for emergency clean-ups. Acting Purchasing Director Joy Kerkoff stated the amount is based on an estimate of tonnage. Alderman Felser this is a lot of money and he had rather some of the clean-up be done by local companies. Director Kerkoff said if it was a local contract they would be responding to other, private contracts and they would be dealing with their own emergencies; their facilities may not be up and running. The City actually seeks offices outside of the Savannah area. City Manager Toney stated the operative sentence is “in the event of a major hurricane.” The most immediate response would come from the City staff and of local contractors who are able to assist; but often those contractors are already engaged in private concerns. This contract is to be able to return the City to normal as quickly and safely as possible; in order to do that the City has to go outside the general area where people are available. It depends on the level of the disaster. Alderman Felser was concerned that the outside company would be available in a timely manner. Ms. Toney stated they would and the City would not be sitting and waiting on them to show up. Alderman Thomas stated if there was a storm of this caliber, there would be State and Federal monies available. Alderman Osborne pointed out the bidders were non-local minority owned business. Alderman Felser requested the companies give a time they would be in Savannah if an emergency occurs. Upon motion by Alderman Sprague, seconded by Alderman Thomas and carried, the contract was renewed. Alderman Osborne voted no.

Motorcycle Lease for Savannah-Chatham Metropolitan Police Department – Annual Contract Renewal – Quotation No. 11.061. Renewed an annual contract for the lease of 6 motorcycles from Savannah Harley Davidson in the amount of \$27,594.00. The contract will be used by the Savannah-Chatham Metropolitan Police Department for the annual lease and maintenance of 6 motorcycles for the Traffic Unit. This is the first of four renewal options. Solicitations were made to all known area dealers. Only one bid was received. Delivery: As Required. Terms: Net-30 Days. Funds are available in the 2011 Budget, General Fund/Traffic Unit/Rentals (Account No. 101-4231-51230).

Traffic Signal Construction – Annual Contract Renewal – Bid No. 11.141. Renewed an annual contract for traffic signal construction to Hoffman Electric Company, Inc.

(Primary) and Abvolt, Corporation (Secondary) in the amount of \$85,920.80. The services will be used by Traffic Engineering for the installation of traffic control devices for minor planned projects as well as emergency repairs in the event of accidents, storms or equipment failures. This is the first of two renewal options available for this contract. Delivery: As Required. Terms: Net-30 Days. Funds are available in the 2011 Budget, General Fund/Traffic Engineering Equipment Repair Parts (Account No. 101-2103-51335).

Basic, Dependent and Supplemental Life and Accidental Death and Dismemberment Insurance Benefits – Annual Contract Renewal – RFP No. 11.143. Renewed an annual contract to provide basic, dependent and supplemental life and accidental death and dismemberment benefits from ING Employee Benefits Group in the amount of \$972,537.00. The contract will provide employees, their dependents and retirees with life and accidental death and dismemberment benefits as well as supplemental life coverage. The contract agreement called for firm rates for the first four years of the contract. The contractor requested rate increases for this last available renewal period. Since assuming the coverage in 2007, the contractor has had a loss ratio of 136% while the permissible loss ratio for the industry is 75%. Based upon the experience, the underwriting formula dictates a significant increase in the Active and Retiree rates. The City has negotiated an agreement with far more favorable rates than the underwriting formula dictated and have coupled that with changes which will make a significant contribution toward setting the plan on a much more viable financial footing. These terms include no increase in Active Basic Life rates; an increase in Retiree Basic Life from \$0.70 to \$0.88; significantly less than the \$1.05 initially proposed; implementation of step rates for all Supplemental Life coverage; addition of no cost funeral planning services; and a one-time open enrollment for the Active Supplemental Life with guaranteed issue of one time earnings. This is the last renewal option of a five year contract and must be re-bid in 2012. Delivery: As Needed. Terms: Net-30 Days. Funds are available in the 2010 Budget, Risk Management Fund/Risk Management/Medical Insurance/Group Life Insurance (Account No. 621-9983-52225).

Authorization to Enter Into Grant Administration Agreement with Sub-grant Recipients. The City of Savannah has accepted a grant award from the Georgia Department of Labor Workforce Investment Act (WIA) Grant Program to provide year-round youth programs for the period April 1, 2011 – June 30, 2013 to low-income youth between the ages of 14 and 21. Youth programs include work experience, occupational skills training, alternative secondary school services, tutoring and supportive services. Pursuant to the Coastal Workforce Services (CWS) Consortium Agreement, received approval to authorize the City Manager to enter into a Grant Administration Agreement with sub-grant recipients in accordance with the City of Savannah's procurement policies and procedures. The \$1,317,070 grant award provides funding for youth programs to a nine (9) county area, Region 12, that includes Bryan, Bulloch, Camden, Chatham, Effingham, Glynn, Liberty, Long and McIntosh Counties.

Telamon Corporation Contract Modification. Approval of a contract modification with Telamon Corporation in an increased amount of \$32,867. The Georgia Department of Labor (DOL) Workforce Investment Act (WIA) Grant Program has approved an additional \$32,867 to provide youth programs in Bulloch, Effingham, Bryan, Liberty and Long Counties on behalf of Coastal Workforce Services (CWS). The City of Savannah serves as Chief Elected Official of the Consortium and grant recipient and administrative entity for the Coastal Workforce Services (CWS) Board in accordance with the Consortium Agreement effective July 1, 2000. Youth programs include work experience, occupational skills training, alternative secondary school services, tutoring and supportive services. Funding is available through the Program Year 2010 Georgia Department of Labor Modified Grant Award.

Lead Grant Agreement with Georgia Department of Community Health. The City's Housing Department received a Lead Grant Agreement from the Georgia Department of Community Health on June 28, 2011. This lead grant agreement is for \$412,917 and will enable the Housing Department to assist the State in administration of the Georgia Lead Hazard Control Program. The City will be able to utilize funds to offset lead improvement costs and operational costs. This is a nationally competitive grant which Georgia received due in part to the City's willingness to participate. It is hoped that Savannah's participation will serve as a model for the rest of the state in future years. Recommend authorizing the City Manager to enter into the agreement with the Georgia

Department of Community Health, Division of Public Health, for the Georgia Lead Hazard Control Program.

City Manager Toney said this is a grant that has been awarded to the Coastal Workforce Investment Board. Alderman Thomas commended the Mayor and City staff. Alderman Osborne stated for the past few years there have not been monies for old houses to remove lead. Upon motion by Alderman Thomas, seconded by Alderman Felser the previous 3-contracts and agreements were awarded.

Alderman Thomas stated he attended the E.O.A. Program Meeting. The seniors had put in 51,000 volunteer hours. They awarded a special plaque to the City. The Windsor Forest Golden Age Center, the Moses Jackson retirement Center, Carve Heights, and the Eastside Golden Age Center. A lot of agencies would not have been able to carry out their tasks if it had not been for the contribution of the seniors.

Alderman Jones had a concern about procedures in a meeting. He stated when the Attorney General gave his presentation, afterwards a citizen made a remark about something he had said at the end of the meeting. He had a few recommendations he present to Council and the lady pointed out that he should not have opened the topic since it was not on the agenda. He asked Attorney Blackburn, if he had a topic he wanted to discuss at the end of the meeting, was he out of order? Attorney Blackburn stated this was one of the difficult areas of conflict between Rules of Council and Parliamentary Procedures in the Open Meeting Law; having to do with agendas. The rules of this Council go back about 100-years with written protocol regarding Aldermen introducing items before Council; at that time it was a 12-Council member. The Open Meeting Law states if it is going to be an item on the public agenda, the public should know about the item ahead of time in case they wanted to be present to hear it. If an item came up, it would be best to request it be put on the next agenda. Mayor Johnson stated that was the way the item was handled. The Alderman brought it up and they were bound not to discuss it and it was put on the agenda for a date-certain for discussion.

Alderman Sprague wished everyone a happy 4th.

There being no further business, Mayor Johnson declared this meeting of Council adjourned.



Dyanne C. Reese
Clerk of Council